

motion, research, consumer information, education, and industry information are necessary to maintain and expand existing markets and develop new markets for sheep and sheep products; and

(7) sheep and sheep products move in interstate and foreign commerce, and sheep and sheep products that do not move in such channels of commerce directly burden or affect interstate commerce in sheep and sheep products.

**(b) Policy**

It is the policy of Congress that it is in the public interest to authorize the establishment, through the exercise of the powers provided in this chapter, of an orderly procedure for developing, financing (through adequate assessments on sheep and sheep products produced or imported into the United States), and carrying out an effective, continuous, coordinated program of promotion, research, consumer information, education, and industry information designed to—

(1) strengthen the position of the sheep and sheep product industry in the marketplace;

(2) maintain and expand existing domestic and foreign markets and uses for sheep and sheep products; and

(3) develop new markets and uses for sheep and sheep products.

**(c) Construction**

Nothing in this chapter provides for the control of production, or otherwise limits, the right of any person to produce sheep or sheep products.

(Pub. L. 103-407, §2, Oct. 22, 1994, 108 Stat. 4210.)

SHORT TITLE

Section 1 of Pub. L. 103-407 provided that: “This Act [enacting this chapter] may be cited as the ‘Sheep Promotion, Research, and Information Act of 1994’.”

**§ 7102. Definitions**

As used in this chapter (unless the context clearly requires otherwise):

**(1) Board**

The term “Board” means the National Sheep Promotion, Research, and Information Board established under section 7104(b) of this title.

**(2) Carbonized wool**

The term “carbonized wool” means wool that has been immersed in a bath, usually of mineral acids or acid salts, that destroys vegetable matter in the wool, but does not affect the wool fibres.

**(3) Consumer information**

The term “consumer information” means nutritional data and other information that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, or use of sheep products.

**(4) Customs Service**

The term “Customs Service” means United States Customs Service of the Department of the Treasury.

**(5) Degreased wool**

The term “degreased wool” means wool from which the bulk of impurities has been removed by processing.

**(6) Department**

The term “Department” means the United States Department of Agriculture.

**(7) Education**

The term “education” means activities providing information relating to the sheep industry or sheep products to producers, feeders, importers, consumers, and other persons.

**(8) Executive Committee**

The term “Executive Committee” means the Executive Committee established under section 7104(g) of this title.

**(9) Exporter**

The term “exporter” means any person who exports domestic live sheep or greasy wool from the United States.

**(10) Feeder**

The term “feeder” means a person who feeds lambs until the lambs reach slaughter weight.

**(11) Greasy wool**

The term “greasy wool” means wool that has not been washed or otherwise cleaned.

**(12) Handler**

The term “handler” means any person who purchases and markets greasy wool.

**(13) Importer**

The term “importer” means any person who imports sheep or sheep products into the United States.

**(14) Industry information**

The term “industry information” means information and programs that will lead to increased efficiency in processing and the development of new markets, marketing strategies, increased marketing efficiency, and activities to enhance the image of sheep or sheep products on a national or international basis.

**(15) Order**

The term “order” means a sheep and wool promotion, research, education, and information order issued under section 7103 of this title.

**(16) Person**

The term “person” means any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity.

**(17) Processor**

The term “processor” means any person who slaughters sheep or processes greasy wool into degreased wool.

**(18) Producer**

The term “producer” means any person, other than a feeder, who owns or acquires ownership of sheep.

**(19) Producer information**

The term “producer information” means activities designed to provide producers, feeders,

and importers with information relating to production or marketing efficiencies or developments, program activities, or other information that would facilitate an increase in the consumption of sheep or sheep products.

**(20) Promotion**

The term “promotion” means any action (including paid advertising) to advance the image and desirability of sheep or sheep products to improve the competitive position, and stimulate sales, of sheep products in the domestic and international marketplace.

**(21) Pulled wool**

The term “pulled wool” means wool that is pulled from the skin of a slaughtered sheep.

**(22) Qualified State sheep board**

The term “qualified State sheep board” means a sheep and wool promotion entity that—

(A) is authorized by State statute or is otherwise organized and operating within a State;

(B) receives voluntary contributions or dues and conducts promotion, research, or consumer information programs with respect to sheep or wool, or both; and

(C) is recognized by the Board as the sheep and wool promotion entity within the State;

except that not more than 1 qualified State sheep board shall exist in any State at any 1 time.

**(23) Raw wool**

The term “raw wool” means greasy wool, pulled wool, degreased wool, or carbonized wool.

**(24) Research**

The term “research” means development projects and studies relating to the production (including the feeding of sheep), processing, distribution, or use of sheep or sheep products to encourage, expand, improve, or make more efficient the marketing of sheep or sheep products.

**(25) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(26) Sheep**

The term “sheep” means ovine animals of any age, including lambs.

**(27) Sheep products**

The term “sheep products” means products produced, in whole or in part, from sheep, including wool and products containing wool fiber.

**(28) State**

The term “State” means each of the 50 States.

**(29) Unit**

The term “unit” means each State, group of States, or class designation that is represented on the Board.

**(30) United States**

The term “United States” means the 50 States and the District of Columbia.

**(31) Wool**

The term “wool” means the fiber from the fleece of a sheep.

**(32) Wool products**

The term “wool products” means products produced, in whole or in part, from wool and products containing wool fiber.

(Pub. L. 103–407, § 3, Oct. 22, 1994, 108 Stat. 4211.)

**§ 7103. Issuance and amendment of orders**

**(a) In general**

Subject to subsection (b) of this section, the Secretary shall issue orders under this chapter applicable to producers, feeders, importers, handlers, and purchasers of sheep and sheep products. Any order shall be national in scope. Not more than 1 order shall be in effect under this chapter at any 1 time.

**(b) Procedure**

**(1) Proposal or request for issuance**

The Secretary may propose the issuance of an order under this chapter, or an association of producers may request the issuance of, and submit a proposal for, an order.

**(2) Notice and comment concerning proposed order**

Not later than 60 days after the receipt of a request and proposal for an order under paragraph (1), the Secretary shall publish a proposed order and give due notice and opportunity for public comment on the proposed order.

**(3) Issuance of orders**

After notice and opportunity for public comment are given as provided in paragraph (2), the Secretary shall issue an order, taking into consideration the comments received, that includes provisions necessary to ensure that the order is in conformity with this chapter. The order shall be issued not later than 180 days following publication of the proposed order.

**(4) Referendum**

The order shall go into effect only if the order is approved by producers, feeders, and importers in a referendum conducted under section 7105 of this title.

**(c) Amendments**

The Secretary, from time to time, may amend any order issued under this chapter.

(Pub. L. 103–407, § 4, Oct. 22, 1994, 108 Stat. 4213.)

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 7102, 7105 of this title.

**§ 7104. Required terms in orders**

**(a) In general**

An order issued under this chapter shall contain the terms and conditions specified in this section.

**(b) Establishment and membership of Board**

**(1) In general**

The order shall provide for the establishment of, and appointment of members to, a